

Testimony of Charlene Dutka
Concerning
Raised Bill No 963, An Act Concerning Liability for Damage Caused by a Dog.
Submitted to the Judiciary Committee
March 4, 2011

Senator Coleman, Representative Fox and members of the Judiciary Committee, thank you for this opportunity to present testimony to the Committee in favor of Raised Bill No. 963, an Act Concerning Liability for Damage Caused by a Dog.

My name is Charlene Dutka, I am a dog owner and reside in Goshen.

Raised Bill No. 963 would amend Section 1. Section 22-357 and Section 2. Subsection (a) of Section 22-235 to clarify liability of a dog owner or keeper when a dog damages a companion animal.

The American Society for the Protection of Animals (ASPCA) defines a companion animal as a domesticated or domestic-bred animal whose physical, emotional, behavioral and social needs can be readily met as companions in the home, or in close daily relationship with humans. Otherwise known as our family dog or cat.

The changes in Section 1. Section 22-357 are:

1. The definition of "Damage" is expanded to include economic damages.
2. The definition of "Property" is expanded to include companion animal.
3. The definition of "Economic Damage" is expanded to include expenses of veterinary care, the fair monetary value of the companion animal and burial expenses for the companion animal.

The change in Section 2. Section 22-335 will:

Expand the liability of a dog owner as explained in Section 1. to animals in enclosures, specifically livestock.

Companion animals should be allowed to live in society without threat from injury or death from another dog. In the case of injury or death, the owner/keeper of a dog that damages or kills a companion animal should be liable. The law is clear that the companion animal and the owner of the companion animal must also be responsible and free from trespassing, teasing, tormenting or abusing such dog.

I respectfully request that the committee favor Raised Bill No. 963, amending the current law. Thank you again for this opportunity to show my support for this bill.

Testimony by Charlene Dutka - Goshen, CT in support of SB 963, AAC Liability for Damage Caused by a Dog.

On Christmas morning 2010, our family dog Maxx, unexpectedly took his last breath. Maxx was an amazing creature. In January 2011, Senator Andrew Roraback, (30th district) submitted a bill (Bill No. 346) that would hold dog owners financially liable for damage done by their dog(s). Please write to your state representative in support of this bill.



Following is Maxx's story.

On May 17, 2008 I was walking Maxx in the road, he was on a leash, we were accompanied by my 5 year old son. Unknown to me, a family down the street purchased a rescued dog one week earlier. According to the owners of the dog, and noted in the police records, the dog went to the door when he saw us walking past his house. The children opened the dog and let the dog out of the house. The dog stood at the corner of the street ready to attack us. Once my son was standing safely behind me, I attempted to pull Maxx behind me as well. It was too late. Maxx was torn from his collar, dragged over 50 feet into a ravine filled with water, ultimately rescued by my older sons. Maxx survived, albeit one less shoulder, one less leg, two metal plates in his jaw, a reattached ear and numerous other injuries. Ten days in the hospital, three weeks of daily doctor visits and months of around the clock care, Maxx continued to maintain a loving personality. The medical services Maxx received saved his life. The owner's of the dog's insurance company offered us \$200 for Maxx's medical expenses, which represented his replacement value. The laws in Connecticut are not clear, the bill introduced by Senator Roraback will clarify the liability of the owner of a dog which causes damage. Maxx was amazing and lived for more than two and a half years after the attack. Here is a link to the bill, http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=346&which_year=2011